

U.S. Court of Appeals Case No. 05-10114 U.S. District Court Case No. 03-00106 DAE  
Short Case Title USA v. John Andrew Gilbreath FILED IN THE  
DATE NOTICE OF APPEAL FILED BY CLERK OF DISTRICT COURT 2/14/05 UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

SECTION A - To be completed by party ordering transcript

HEARING DATE(s) COURT REPORTER PROCEEDINGS (strike portion not desired)  
1/20/04 **RECEIVED** Cynthia Fazio Trial (excluding Jury Selection) at 10 o'clock and 10 min. M.  
**CLERK, U.S. DISTRICT COURT** 1/21/04 Cynthia Fazio Further Jury Trial - 2nd day  
1/22/04 **MAR 28 2005** Cynthia Fazio Further Jury Trial - 3rd day  
1/23/04 **DISTRICT OF HAWAII** Cynthia Fazio Further Jury Deliberations/Verdict  
2/4/05 Cynthia Fazio Sentencing  
9/18/03 Cynthia Fazio Defendant's Motion to Suppress

(additional page for designations if necessary)

- ( ) I do not intend to designate any portion of the transcript and will notify all counsel of this intention.  
( ) As retained counsel (or litigant proceeding in pro per). I request a copy of the transcript and guarantee payment to the reporter of the cost thereof upon demand. I further agree to pay for work done prior to cancellation of this order.  
(X) As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered 2/22/05 Estimated date for completion of transcript 4/11/05

Print Name of Attorney James S. Gifford, Assistant Federal Defender Phone Number (808) 541-2521

Signature of Attorney Donna M. Dray for James G. Gifford

Address Office of the Federal Public Defender, 300 Ala Moana Blvd., Suite 7104, Honolulu, HI 96850

SECTION B - To be completed by court reporter

I, Cynthia Fazio have received this designation.  
(signature of court reporter)

- ( ) Arrangements for payment were made on \_\_\_\_\_  
( ) Arrangements for payment have not been made pursuant to FRAP 10(b).

395 Approximate Number of Pages in Transcript--Due Date 3/20/05

SECTION C - To be completed by court reporter

When the transcript is filed, complete this section and submit to the U.S. district court with the completed transcript. The district court will not file the transcript without this completed form.

Date transcript filed 3/24/05 Court Reporter's Signature Cynthia Fazio

SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.

Walter A. Y. H. Chinn 06/29/05 BY: Alison Draney  
(U.S. District Court Clerk) (date) DEPUTY CLERK

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAIIIN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

## AMENDED Transcript Designation and Ordering Form

U.S. District Court Case No. 05-10114 U.S. District Court Case No. 03-00106 DAEShort Case Title USA v. John Andrew GilbreathDate of Appeal Filed by Clerk of District Court 2/14/05

## SECTION A - To be completed by party ordering transcript

HEARING DATE(s)	COURT REPORTER	PROCEEDINGS(strike portion not desired)
<u>1/20/04</u>	<u>Cynthia Fazio</u>	<u>Trial (excluding Jury Selection)</u>
<u>1/21/04</u>	<u>Cynthia Fazio</u>	<u>Further Jury Trial- 2nd day</u>
<u>1/22/04</u>	<u>Cynthia Fazio</u>	<u>Further Jury Trial - 3rd day</u>
<u>1/23/04</u>	<u>Cynthia Fazio</u>	<u>Further Jury Deliberations/Verdict</u>
<u>2/4/05</u>	<u>Cynthia Fazio</u>	<u>Sentencing</u>

(additional page for designations if necessary)

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- ☒ As appointed counsel I certify that an appropriate order authorizing preparation of the transcript at the expense of the United States has been, or within 5 days hereof will be, obtained and delivered to the reporter. I agree to recommend payment for work done prior to cancellation of this order.

Date transcript ordered 2/22/05 Estimated date for completion of transcript 4/11/05Print Name of Attorney James S. Gifford, First Assistant Federal Defender Phone Number (808) 541-2521Signature of Attorney [Signature]Address Office of the Federal Public Defender, 300 Ala Moana Blvd., Suite 7104, Honolulu, HI 96850

## SECTION B - To be completed by court reporter

I, Cynthia Fazio (signature of court reporter) have received this designation.

- ☒ Arrangements for payment were made on 2/28/05
- ☐ Arrangements for payment have not been made pursuant to FRAP 10(b).

395 Approximate Number of Pages in Transcript--Due Date 3/30/05

## SECTION C - To be completed by court reporter

When the transcript is filed, complete this section and submit to the U.S. district court with the completed transcript. The district court will not file the transcript without this completed form.

Date transcript filed 3/24/05 Court Reporter's Signature Cynthia Fazio

## SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.

Walter A.Y.H. Chinn (U.S. District Court Clerk) (date) BY: [Signature] DEPUTY CLERK

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

## Transcript Designation and Ordering Form

U.S. Court of Appeals Case No. \_\_\_\_\_ U.S. District Court Case No. 03-00106 DAEShort Case Title USA v. John Andrew GilbreathDate Notice of Appeal Filed by Clerk of District Court 2/14/05

## SECTION A - To be completed by party ordering transcript

HEARING DATE(s)	COURT REPORTER	PROCEEDINGS(strike portion not desired)
4/7/03	FILED IN THE ESR/Tape/CD	Initial Appearance/A&P
10/6/03	UNITED STATES DISTRICT COURT DISTRICT OF HAWAII ESR/Tape/CD	Criminal Final Pretrial Conference
12/15/03	ESR/Tape/CD	Final Pretrial Conference
12/23/03	ESR/Tape/CD	Status Conference
1/20/04	at 3 o'clock and 20 min M. ESR/Tape/CD WALTER A.Y.H. CHINN, C. ESR/Tape/CD	Jury Selection/Trial
1/21/04	Cynthia Fazio	Further Jury Trial- 2nd day
1/22/04	Cynthia Fazio	Further Jury Trial - 3rd day
1/23/04	Cynthia Fazio	Further Jury Deliberations/Verdict
2/4/05	Cynthia Fazio	Sentencing

(additional page for designations if necessary)

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Date transcript ordered 2/22/05 Estimated date for completion of transcript 4/11/05Print Name of Attorney James S. Gifford, First Assistant Federal Defender Phone Number (808) 541-2521Signature of Attorney *J. S. Gifford*Address Office of the Federal Public Defender, 300 Ala Moana Blvd., Suite 7104, Honolulu, HI 96850

## SECTION B - To be completed by court reporter

I, *Cynthia Fazio* have received this designation.  
(signature of court reporter)

- ( ) Arrangements for payment were made on \_\_\_\_\_
- ( ) Arrangements for payment have not been made pursuant to FRAP 10(b).

461 Approximate Number of Pages in Transcript--Due Date \_\_\_\_\_

## SECTION C - To be completed by court reporter

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Date transcript filed 3/24/05 Court Reporter's Signature *Cynthia Fazio*

## SECTION D - To be completed by the Clerk

U.S. DISTRICT COURT CLERK: I certify that the record is available in the office of the U.S. District Court.

Walter A.Y.H. Chinn BY: \_\_\_\_\_  
(U.S. District Court Clerk) (date) DEPUTY CLERK